

AMENDED IN ASSEMBLY MARCH 17, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1968**

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**Introduced by Assembly Member Steinorth**

February 16, 2016

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An act to ~~amend Section 5541.1 of~~ add Section 75214.5 to the Public Resources Code, relating to ~~parks~~ greenhouse gases.

LEGISLATIVE COUNSEL'S DIGEST

AB 1968, as amended, Steinorth. ~~East Bay Regional Park District.~~ *Greenhouse gases: Affordable Housing and Sustainable Communities Program.*

*Existing law requires all moneys, except for fines and penalties, collected by the State Air Resources Board from the auction or sale of allowances as part of a market-based compliance mechanism to be deposited in the Greenhouse Gas Reduction Fund and to be available upon appropriation by the Legislature. Existing law continuously appropriates 20% of the annual proceeds of the fund to the Affordable Housing and Sustainable Communities Program, administered by the Strategic Growth Council, to reduce greenhouse gas emissions through projects that implement land use, housing, transportation, and agricultural land preservation practices to support infill and compact development and that support other related and coordinated public policy objectives.*

*This bill would require 10% of the moneys appropriated for the program to be allocated to certain cities, counties, and cities and counties to support projects for medium-density residential development, as defined. The bill would require 20% of those allocated moneys to be allocated to housing projects affordable to lower income households.*

~~Existing law authorizes the East Bay Regional Park District to plan, adopt, lay out, plant, develop, and otherwise improve, extend, control, operate, and maintain vehicular recreational areas and trails for the use and enjoyment of the inhabitants of the district. Existing law prohibits the board of directors of the district from interfering with the control of a vehicular recreational area or trail that is existing, owned, or controlled by a municipality or county in the district, except with the consent of the governing body of the municipality or county, and upon terms as may be mutually agreed upon between the board and the governing body.~~

~~This bill would make nonsubstantive changes to those provisions.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1     SECTION 1. *The Legislature finds and declares all of the*
- 2     *following:*
- 3     (a) *Having a healthy housing market that provides an adequate*
- 4     *supply of homes affordable to Californians at all income levels is*
- 5     *critical to the economic prosperity and quality of life in the state.*
- 6     (b) *California's workforce continues to experience longer*
- 7     *commute times as persons in the workforce seek affordable housing*
- 8     *outside the areas in which they work. If California is unable to*
- 9     *support the construction of affordable housing in these areas,*
- 10    *congestion problems will strain the state's transportation system*
- 11    *and exacerbate the emissions of greenhouse gases.*
- 12    (c) *The lack of sufficient housing impedes economic growth and*
- 13    *development by making it difficult for California employers to*
- 14    *attract and retain employees.*
- 15    (d) *Infill housing is expensive to build in California and centers*
- 16    *around high-density high-rise apartment and condominium*
- 17    *buildings. Unfortunately, many cities have enforced building height*
- 18    *limitations that reduce the size and scope of projects. While*
- 19    *subsidies exist for high-density housing, there are little for*
- 20    *medium-density housing of 4 or 5 stories even though the cost per*
- 21    *square foot rises exponentially for each story added to a building*
- 22    *beyond the third story.*
- 23    (e) *To keep pace with continuing demand, the state should*
- 24    *identify and establish a permanent ongoing source or sources of*

1 *funding dedicated to medium-density housing development with a*  
2 *set-aside for lower income housing.*

3 *SEC. 2. Section 75214.5 is added to the Public Resources Code,*  
4 *to read:*

5 *75214.5. (a) For purposes of this section, “medium-density*  
6 *residential development” means a development of attached housing*  
7 *that includes a duet, duplex, triplex, fourplex, or a townhouse or*  
8 *condominium of between three and five stories, with an allowable*  
9 *density range of between 8 and 15 residential units per gross*  
10 *developable acre.*

11 *(b) (1) Ten percent of the moneys appropriated for the*  
12 *implementation of the program shall be allocated each fiscal year*  
13 *to cities, counties, or a city and county with an ordinance*  
14 *promoting medium-density residential developments to support*  
15 *projects for medium-density residential developments that meet*  
16 *the requirements of Section 75211.*

17 *(2) Of the moneys allocated pursuant to paragraph (1), at least*  
18 *20 percent shall be allocated to housing projects affordable to*  
19 *lower income households, as defined in Section 50079.5 of the*  
20 *Health and Safety Code.*

21 ~~SECTION 1. Section 5541.1 of the Public Resources Code is~~  
22 ~~amended to read:~~

23 ~~5541.1. (a) The East Bay Regional Park District may do all~~  
24 ~~of the following:~~

25 ~~(1) Plan, adopt, lay out, plant, develop, and otherwise improve,~~  
26 ~~extend, control, operate, and maintain vehicular recreational areas~~  
27 ~~and trails for the use and enjoyment of all of the inhabitants of the~~  
28 ~~district.~~

29 ~~(2) Select, designate, and acquire land, or rights in land, within~~  
30 ~~or without the district, to be used and appropriated for the purposes~~  
31 ~~described in paragraph (1).~~

32 ~~(3) Cause the vehicular recreational areas and trails described~~  
33 ~~in paragraph (1) to be opened, altered, widened, extended, graded~~  
34 ~~or regraded, paved or repaved, planted or replanted, repaired, and~~  
35 ~~otherwise improved.~~

36 ~~(b) The Board of Directors of the East Bay Regional Park~~  
37 ~~District shall not interfere with the control of a vehicular~~  
38 ~~recreational area or trail that is existing, owned, or controlled by~~  
39 ~~a municipality or county in the district, except with the consent of~~  
40 ~~the governing body of the municipality, or of the county if the~~

- 1 vehicular recreational area or trail is in unincorporated territory;
- 2 and upon those terms as may be mutually agreed upon between
- 3 the board of directors of the district and the governing body.

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